

You Have The Right

- As a responding party (the one accused of violating our policy), you have numerous rights. Anyone accused of sexual misconduct is sent a comprehensive email notification that includes information about the allegation(s), the name of the person who made the allegation(s), information about our policy and the equity resolution process, and a list of support services. In addition, you will receive the name of the individual whom you can ask additional questions.
- You also have the right to be treated fairly and to have the investigation and resolution process explained to you. You have a right to know the allegations and to have an advisor of your choice support you throughout the process. All parties participating in the process also have a right to be free from any type of retaliation. In addition, all parties have the right to available support services and referrals for additional services.
- You are encouraged to learn about all of your rights which are posted at gtc.edu/TitleIX.

A Note about Retaliation

Gateway's policy, as well as federal law, prohibits retaliation against any party who brings forth a complaint or participates in the equity resolution process. Retaliation is defined as any intentional, adverse action taken by an accused individual or allied third party, absent legitimate nondiscriminatory purposes, as reprisal against a participant in a civil rights grievance proceeding. Retaliation exists when an individual harasses, intimidates, or takes other adverse actions against a person because of that person's participation in an investigation of discrimination or sexual misconduct or that person's support of someone involved in an investigation of discrimination or sexual misconduct.

Interim Measures

Following a report of sexual misconduct and in accordance with the Gateway's Equity Resolution Procedures, the College will take steps to provide interim protective measures to the parties involved in an alleged incident of sexual misconduct. The Title IX Coordinator (or designee) may assist involved parties with obtaining interim protective measures to the extent that such measures are reasonable and can be accommodated. These measures are meant to ensure the safety as well as emotional and physical well-being of all involved parties.

Responding Party Support and Resources

Confidential Resources

Student Support Counselors

Elkhorn: 262-741-8300

Burlington/HERO: 262-741-8300

Kenosha/Horizon: 262-564-2300

Racine/iMET: 262-619-6300

Employee Assistance Program (for Gateway employees)

Ascension: 800-540-3758,
eap@ascension.org

Non-Confidential Services

Office for Equal Opportunity and Civil Rights
262-564-3062

Campus Security

Elkhorn: 262-741-8208

Burlington/HERO: 262-767-5208

Kenosha/Horizon: 262-564-2208

Racine/iMET: 262-619-6208

Gateway Technical College



TITLE IX:
Information on
Sexual Misconduct:
Gateway
policies,
procedures,
and respondent
services

gtc.edu/TitleIX

gtc.edu/TitleIX



Gateway Technical College is committed to creating a safe and positive learning environment for the entire college community where the dignity and respect of all members is valued and protected.

Sex discrimination and sexual misconduct are prohibited by Gateway policy as well as a number of federal laws including Title IX, Title VII of the Civil Rights Act, Violence Against Women Act, and the Clery Act, which mandate Gateway's response to such allegations. Some of these prohibited offenses may also constitute criminal acts under Wisconsin law.

Gateway's policy on equal opportunity, harassment, and discrimination applies to all students, employees, contractors, guests, and visitors of the college. The college has jurisdiction over all acts of sexual misconduct and discrimination involving members of the campus community including those that occur off-campus, depending on the circumstances. You are encouraged to view the full policy and additional resources at gtc.edu/TitleIX.

What is Sexual Misconduct?

Non-consensual sexual intercourse

Any sexual intercourse, however slight, with any object, by a person upon another person, that is without consent and/or by force.

Sexual exploitation

Occurs when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit or to the benefit or advantage of anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Non-consensual sexual contact

Any intentional sexual touching, however slight, with any object, by a person upon another person, that is without consent and/or by force.

Sexual harassment

Unwelcome sexual, sex-based, and/or gender-based verbal, written, online, and/or physical conduct.

Stalking

Stalking can take two forms:

- Stalking 1: A course of conduct directed at a specific person on the basis of actual or perceived membership in a protected class that is unwelcome and would cause a reasonable person to feel fear.
- Stalking 2: Repetitive and menacing pursuit, following, harassing, and/or interfering with the peace and/or safety of another.

Bullying

Repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally, that is not speech or conduct otherwise protected by the 1st Amendment.

Intimate partner violence

Violence or emotional and/or psychological abuse between those in an intimate relationship toward each other.

Retaliation

Federal law and Gateway's policy strongly prohibit any form of retaliation that is not protected by the first amendment and/or academic freedom for any person participating in a grievance procedure relating to this policy. Retaliation is investigated as a separate offense and may involve additional sanctions.

Violating Gateway's policy on sexual misconduct and discrimination can result in a variety of sanctions meant to end the discrimination, mitigate the harm, and prevent its recurrence.

*View the policy at gtc.edu/TitleIX for examples of each type of sexual misconduct as well as the full range of possible sanctions.

What To Do If You've Been Accused of Sexual Misconduct

Remain calm and get support

This can be a stressful time and you may experience a variety of emotions. Seek the assistance of a trusted friend or use some of the resources listed in this brochure. Keep in mind that a fair, impartial, and thorough investigation is required before the college makes a finding and imposes any sanctions as a result of the allegations.

Learn about the process

The college does not conduct criminal investigations; however, the reporting party (the one(s) making the accusations) may decide to file a report with law enforcement as well. The Office for Equal Opportunity and Civil Rights investigates violations of college policy if the allegations received indicate a likely policy violation. In cases that do not rise to this level, we may attempt to conduct a voluntary resolution of the matter. Our entire policy is available for your review at gtc.edu/TitleIX.

Cooperate with the investigation

The goal of an investigation, if initiated, is to gather evidence, interview the parties and witnesses, and make an objective determination based on a preponderance of evidence standard while protecting the rights of all involved.

Preserve the evidence

Do not destroy or delete any potential evidence. Both parties have the right to submit any relevant evidence during an investigation, including emails, texts, physical evidence, and the like.

Sexual Misconduct and Consent

Simply put, consent is knowing, voluntary, and clear permission through word or action to engage in a mutually agreed upon sexual activity or contact.

It is the responsibility of the person engaging in sexual contact to make sure consent is ongoing and clear for each sexual activity. Please keep the following in mind regarding consent:

- A person may withdraw consent at any time.
- Pressuring another person to engage in sexual acts nullifies consent.
- Silence or lack of resistance regarding sexual acts alone does not constitute consent.
- Previous consent to a sexual activity does not imply consent to any future activity.
- Simply engaging in a dating relationship does not constitute consent for any specific sexual activity.